

**Amendment and Response**

Applicant: Ivan Farkas et al.

Serial No.: 10/743,619

Filed: Dec. 22, 2003

Docket No.: 200312767-1

Title: SYSTEM AND METHOD FOR PROVIDING AN IMAGE FILE IN A COMPUTER SYSTEM

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**REMARKS**

The following remarks are made in response to the Office Action mailed Nov. 3, 2005.

Claims 1-29 were rejected. With this Response, claims 1, 15, 17, and 24-26 have been amended.

Claims 7 and 8 have been canceled without prejudice as to the subject matter contained therein.

Claims 1-6 and 9-29 remain pending in the application and are presented for reconsideration and allowance.

**Claim Rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103**

Claims 1-6, 14-17, and 19-23 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,507,881 (Chen). Applicants respectfully note that the date of patent of Chen, January 14, 2003, is subsequent to the filing date of the present application, December 22, 2003. Accordingly, Chen does not appear to qualify as prior art under 35 U.S.C. §102(b). To expedite prosecution of the present application, Applicants have responded to the rejection as if the rejection were made under 35 U.S.C. §102(e).

Claims 9-10, 13, 18, 24-29 are rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of U.S. Patent No. 6,188,602 (Alexander).

Claims 11-12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of U.S. Patent No. 6,816,963 (Krithivas).

Applicants have amended claim 1 to include the limitations similar to those of canceled claims 7 and 8. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 1-6 and 14-16 under 35 U.S.C. §102(b).

Claim 1, as amended, recites, *inter alia*:

a management processing system coupled to the I/O controller and comprising a first storage location, a first memory, a second memory configured to store first firmware, and a network connection that is configured to provide a remote user with access to the computer system, the management processing system configured to execute the first firmware to provide status information associated with the computer system to the remote user using the network connection; ....

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Neither Chen nor Alexander teach or suggest “a management processing system coupled to the I/O controller and comprising ... a network connection that is configured to provide a remote user with access to the computer system” as recited in claim 1. In addition, neither Chen nor Alexander teach or suggest that “the management processing system configured to execute the first firmware to provide status information associated with the computer system to the remote user using the network connection” as recited in claim 1.

Alexander teaches a “firmware hub 110 [that] stores system and video basic input/output systems, generates random numbers for security features, provides register-based read and write protection for code/data storage blocks, and includes a command user interface (CUI) for requesting access to locking programming, and erasing options in firmware hub 110”. Column 3, lines 37-45. Alexander also teaches a “[f]lash memory 212 in firmware hub 110 [that] includes a locking scheme ....” Column 3, lines 52-54.

Alexander does not teach that firmware hub 110 comprises “a network connection that is configured to provide a remote user with access to the computer system” as recited in claim 1. Alexander also does not teach that firmware hub 110 is “configured to execute the first firmware to provide status information associated with the computer system to the remote user using the network connection” as recited in claim 1.

Accordingly, Applicants respectively submit that claim 1 patentably distinguishes over the cited references, alone or in combination, for at least these reasons.

Claims 2-6, 9, and 10-16 depend from claim 1 and are believed to patentably distinguish over the cited references for at least the above reasons.

With regard to claims 11 and 12, Applicants respectfully submit that Krithivas does not teach or suggest the features of claim 1 noted above. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 11 and 12 under 35 U.S.C. §103(a).

Claim 17, as amended, recites, *inter alia*:

a slave comprising a network connection that is configured to provide a remote user with access to the system, the slave configured to execute firmware to provide status information

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associated with the system to the remote user using the network connection; ....

Chen does not teach or suggest “a slave comprising a network connection that is configured to provide a remote user with access to the system” as recited in claim 17. In addition, Chen does not teach or suggest “the slave configured to execute firmware to provide status information associated with the system to the remote user using the network connection” as recited in claim 17. Accordingly, Applicants respectively submit that claim 17 patentably distinguishes over the cited references for at least these reasons.

Claims 19-23 depend from claim 17 and are believed to patentably distinguish over the cited references for at least the above reasons

With regard to claims 18, Applicants respectfully submit that Alexander does not teach or suggest the features of claim 17 noted above. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 18 under 35 U.S.C. §103(a).

Claim 24, as amended, recites, *inter alia*:

storing first information into a first memory in a management processing system using an input / output (I/O) bus, the management processing system including a second memory configured to store first firmware and a network connection that is configured to provide a remote user with access to the computer system, the management processing system configured to execute the first firmware to provide status information associated with the computer system to the remote user using the network connection;

....

Neither Chen nor Alexander teach or suggest “the management processing system including a second memory configured to store first firmware and a network connection that is configured to provide a remote user with access to the computer system” as recited in claim 24. In addition, neither Chen nor Alexander teach or suggest that “the management processing system configured to execute the first firmware to provide status information associated with the computer system to the remote user using the network connection” as recited in claim 24.

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Accordingly, Applicants respectively submit that claim 24 patentably distinguishes over the cited references for at least these reasons.

Claims 25-29 depend from claim 24 and are believed to patentably distinguish over the cited references for at least the above reasons. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 24-29 under 35 U.S.C. §103(a).

**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1-6 and 9-29 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-6 and 9-29 is respectfully requested.

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The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application. Any inquiry regarding this Amendment and Response should be directed to either David A. Plettner at Telephone No. (408) 447-3013, Facsimile No. (408) 447-0854 or Christopher P. Kosh at Telephone No. (512) 231-0533, Facsimile No. (512) 231-0540. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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**CERTIFICATE UNDER 37 C.F.R. 1.8:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 20th day of January, 2006.

By   
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